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PTO/SB/21 (09-04)


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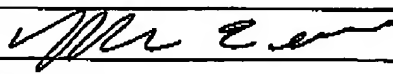
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/512,130	
	Filing Date	10/13/2004	
	First Named Inventor	Manuela Niemeler, et al.	
	Art Unit	1713	
	Examiner Name		
Total Number of Pages in This Submission	9	Attorney Docket Number	PAT-01027

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of the English Translation of the International Preliminary Examination Report; Transmittal Cover Letter.
Remarks The Commissioner is hereby authorized to charge any fees, which may be required or credit any overpayment to Deposit Account Number 23-3425. I have enclosed a duplicate copy of this sheet.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	BASF CORPORATION		
Signature			
Printed name	Anna Gerry Sabourin		
Date	10/28/05	Reg. No.	33,772

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Marjorie Ellis	Date 10/28/05 10/31/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PATENT**

(Practitioner's Docket No. PAT-01027)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Manuela NIEMEIER

Serial No.: 10/537,070

Filed: 05/31/2005

For: Coatings, Methods for Producing the  
Same, and the Use Thereof

Group Art Unit: 1755

Examiner:

I hereby certify that the following papers are being  
facsimile transmitted to the Patent and Trademark Office  
fax No.: (703) 571 273-8300 on the date below.  
October 26, 2005

Date

  
Marjorie Ellis

**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

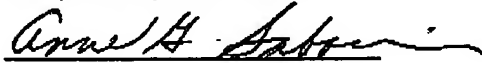
Sir:

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of the International Preliminary Examination Report.

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3425.

This form is submitted in duplicate.

Respectfully submitted,

  
Anne Gerry Sabourin  
Registration No. 33,772

Date October 28, 2005

BASF Corporation  
26701 Telegraph Road  
Southfield, MI 48034-2442  
(248)-948-2021  
Customer No. 26922

PTO/SB/21 (09-04)

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Signature	<i>Anne Sabourin</i>		
Printed name	Anne Gerry Sabourin		
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Typed or printed name	Marjorie Ellis	Date	10/31/05

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Date October 28, 2005

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Southfield, MI 48034-2442  
(248)-948-2021  
Customer No. 26922

Translation

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>PCT01027PAT</b>	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. <b>PCT/EP03/04767</b>	International filing date (day/month/year) <b>07 May 2003 (07.05.03)</b>	Priority date (day/month/year) <b>11 May 2002 (11.05.02)</b>
International Patent Classification (IPC) or national classification and IPC <b>C09D 7/00</b>		
Applicant <b>BASF COATINGS AG</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 2 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand <b>03 November 2003 (03.11.03)</b>	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (July 1998)

Oct. 31. 2005 12:56PM

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No. 1473

P. 628

0205

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/EP03/04767

**I. Basis of the report**

The basis of international preliminary examination report is the application as originally filed.

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability**

In light of the documents cited in the international search report, it is considered that the invention as defined in the claims meets the criteria mentioned in Article 33(1) PCT, i.e. it appears to be novel and to involve an inventive step.

Form PCT/409PE1 (EPO-March 2002) P20755

# VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

## PCT

### INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT

(Artikel 36 und Regel 70 PCT)

(Rationalisierter Bericht gemäß Beschluß des Präsidenten des EPA veröffentlicht im ABI 11/2001)


Aktenzeichen des Anmelders oder Anwalts <b>PCT01027PAT</b>	WEITERES VORGEHEN siehe Mitteilung über die Überendung des internationalen vorläufigen Prüfungsberichts (Formblatt PCT/IPEA/416)	
Internationales Aktenzeichen <b>PCT/EP 03/ 04767</b>	Internationales Anmeldedatum (Tag/Monat/Jahr) <b>07/05/2003</b>	Prioritätsdatum (Tag/Monat/Jahr) <b>11/05/2002</b>
Internationale Patentklassifikation (IPK) oder nationale Klassifikation und IPK <b>C09D7/00</b>		
Anmelder <b>BASF COATINGS AG et. al.</b>		

1. Der internationale vorläufige Prüfungsbericht wurde von der mit der internationalen vorläufigen Prüfung beauftragten Behörde erstellt und wird dem Anmelder gemäß Artikel 36 übermittelt.
2. Dieser BERICHT umfaßt insgesamt 2 Blätter einschließlich dieses Deckblatts.
- ☐ Außerdem liegen dem Bericht ANLAGEN bei; dabei handelt es sich um Blätter mit Beschreibungen, Ansprüchen und/oder Zeichnungen, die geändert wurden und diesem Bericht zugrunde liegen, und/oder Blätter mit von dieser Behörde vorgenommenen Berichtigungen (siehe Regel 70.16 und Abschnitt 607 der Verwaltungsvorschriften zum PCT).

Diese Anlagen umfassen insgesamt        Blätter.

3. Dieser Bericht enthält Angaben und die entsprechenden Seiten zu folgenden Punkten:

- I ☒ Grundlage des Berichts
- II ☐ Priorität
- III ☐ Keine Erteilung eines Gutachtens über Neuheit, erfinderische Tätigkeit und gewerbliche Anwendbarkeit
- IV ☐ Mangelnde Einheitlichkeit der Erfindung
- V ☒ Begründete Feststellung nach Artikel 33(2) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung
- VI ☐ Bestimmte eingeführte Unterlagen
- VII ☐ Bestimmte Mängel der internationalen Anmeldung
- VIII ☐ Bestimmte Bemerkungen zur internationalen Anmeldung

Datum der Einreichung des Antrags <b>03/11/2003</b>	Datum der Fertigstellung dieses Berichts <b>12/11/2003</b>
Name und Postanschrift der mit der internationalen vorläufigen Prüfung beauftragten Behörde  Europäisches Patentamt D-80298 München Tel. (+49-89) 2399-0, Fax 523655 sprun d Fax (+49-89) 2399-4465	Bevollmächtigter Beauftragter <b>DEFFNER C A E</b> Tel. (+49-89) 2399 2828

Formblatt PCT/IPEA/409 (Deckblatt) P20478 (Oct 2002)



**INTERNATIONALER VORLÄUFIGER  
PRÜFUNGSBERICHT**

Internationales Aktenzeichen PCT/EP 03/ 04767

**I. Grundlage des Berichts**

Grundlage dieses Berichtes sind die Anmeldungsunterlagen in der ursprünglich eingereichten Fassung.

**V. Begründete Feststellung nach Regel 68.2(a)(ii) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit**

In Anbetracht der im internationalen Recherchenbericht angeführten Unterlagen wird festgestellt, daß die Erfindung, wie sie in den Ansprüchen gekennzeichnet ist, die in Artikel 33(1) PCT aufgeführten Kriterien erfüllt, d.h. als neu, als auf erfinderischer Tätigkeit beruhend und als gewerblich anwendbar anzusehen ist.